

Appl. No. 10/604,484

Amdt. Date Nov. 2, 2004

Reply to the Advisory Action of November 2, 2004 and the Final Office Action of August 24, 2004

REMARKS

In the Advisory Action, Examiner states that claims 1 and 6-10 are rejected using the same USC 103 rejections in the Final Action of August 24, 2004. Applicant respectfully submits that the rejections are improper, and earnestly requests Examiner to reconsider all the pending claims with attention to the response of Sep. 29, 2004 and further in view of the following reasons.

Regarding claim 1, the allowable reasons therefor is clarified below:

A

Firstly, it is again emphasized that neither Baily nor AAPA discloses the novel feature that, as recited in claim 1, the receiving means is notches defined in the socket connector for engagingly receiving the retention protrusions respectively. That is, even Baily can be qualified to combine with AAPA, said novel feature renders the invention claimed in claim 1 unobvious from Baily and AAPA, and any combination thereof.

B

Secondly, the beveled corner of Baily is only used for indexing purposes (see col. 2, ll. 15 to 16). Nothing from the Baily teaches or implies that the beveled corner of Baily has the function of assuring mating function in claim 1. Namely, even the feature of the beveled corner of Baily is modified on the pick up mechanism to get a modified pick up mechanism as claimed in claim 1, one skilled in the art would have not known that the beveled corner of said modified pick up mechanism can assure engagingly mating of the retention means with the receiving means to hold the pick up mechanism on the socket connector. It is respectfully submitted that there is no suggestion or teaching on modifying the beveled corner of Baily on the pick up mechanism of AAPA to reach the invention claimed in claim 1. The rejection to claim 1 is improper (see *ACS Hosp. Sys., Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 USPQ 929, 933; *Pro-Mold & Tool*

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Company v. Great Lakes Plastics, Inc. 75 F.3d 1568 (Fed. Cir. 1996); *Sernaker*, 702 F.2d 989, 994, 217 USPQ 1, 5 (Fed. Cir. 1983)).

According to the above and in view of the response of September 29, 2004, it is earnestly submitted that claim 1 is defined patentably over Baily and AAPA, and any combination thereof.

Claims 6 and 7 are directly or indirectly dependent on claim 1 and should, therefore, be allowed.

Regarding claim 8, the allowable reasons therefor is clarified below:

C

As clarified in section B, the beveled corner of Baily is only used for indexing purposes (see col. 2, ll. 15 to 16). Nothing from the Baily teaches or implies that the beveled corner of Baily has the function of assuring correct engagement recited in claim 8. Differently speaking, there is no suggestion or teaching on modifying the beveled corner of Baily on the pick up mechanism of AAPA to reach the invention claimed in claim 8. For the same reasons in section B and the response of Sep. 29, 2004, the rejection to claim 8 is improper and claim 8 should be allowed.

Claim 9 is dependent on claim 8 and should be allowed.

Regarding claim 10, the allowable reasons therefor is clarified below:

D

For the same reasons stated in section C and further in view of the response of Sep. 29, 2004, the rejection to claim 10 is improper because Nothing from the Baily teaches or implies that the beveled corner of Baily has the orientation function recited in claim 10.

It is, therefore, earnestly submitted that the rejection to claim 10 is improper

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and that claim 10 should be allowed.

E

Finally, in Bailey the shunt (1) is to supportably receive the dual-in-line terminal integrated circuits and accordingly the dual-in-line terminal integrated circuits is seated upon the shunt (1). On the other hand, in the instant invention, the pick-up cap is mounted/seated upon the socket. If there is any modification based upon Bailey to the admitted prior art, the beveled corner of the Bailey should be formed on the socket itself rather than on the pick-up cap disregarding any meaningful purpose thereof. In opposite, in the instant invention the beveled corner is disposed on the pick-up cap. In other words, if any obviousness may occur to the instant invention based upon Bailey, Bailey should disclose the beveled corner on the dual-in-line integrated circuit instead of on the shunt on which the dual-in-line integrated circuit is seated.

Therefore, applying the beveled corner of Bailey with the basic spirit/principle thereof to the instant invention can NOT reach the claimed invention UNLESS a further reverse re-modification is applied to the both socket and the pick-up cap to switch the location of the beveled corner between the socket and the pick-up cap. If doing so, it is opposite to Bailey's disclosed basic principle/spirit, thus being unobvious.

CONCLUSION

For all the above reasons, Applicant earnestly asserts that all the pending claims are patentably distinguishable from the prior art. Therefore, Applicant respectfully submits that this application is now in condition for allowance, and that an action to this effect is earnestly requested.

Respectfully submitted,
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